

HOUSE No. 545**The Commonwealth of Massachusetts**

PRESENTED BY:

Kathi-Anne Reinstein

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to increase the personal care allowance for residents of long term care facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kathi-Anne Reinstein	16th Suffolk
Louis L. Kafka	8th Norfolk
Martha M. Walz	8th Suffolk
Christine E. Canavan	10th Plymouth
Barbara A. L'Italien	18th Essex
Cheryl A. Coakley-Rivera	10th Hampden
Frank I. Smizik	15th Norfolk
Willie Mae Allen	6th Suffolk
Mark V. Falzone	9th Essex
Mary E. Grant	6th Essex
Steven J. D'Amico	4th Bristol
Stephen L. DiNatale	3rd Worcester
Theodore C. Speliotis	13th Essex
Walter F. Timilty	7th Norfolk
Rosemary Sandlin	3rd Hampden
Geraldo Alicea	6th Worcester
Robert L. Rice, Jr.	2nd Worcester
Stephen R. Canessa	12th Bristol
Patricia D. Jehlen	Second Middlesex

Susan C. Tucker	Second Essex and Middlesex
Anthony D. Galluccio	Middlesex, Suffolk and Essex
Susan C. Fargo	Third Middlesex
Thomas M. McGee	Third Essex and Middlesex
Kevin Aguiar	7th Bristol
Mary E. Grant	6th Essex
Timothy J. Toomey, Jr.	26th Middlesex
Mark C. Montigny	Second Bristol and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1126 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO INCREASE THE PERSONAL CARE ALLOWANCE FOR RESIDENTS OF LONG TERM CARE FACILITIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. Section 1 of chapter 117A of the General Laws, as appearing in the 1998 Official Edition, is
2 hereby amended by striking out the second paragraph and inserting in place thereof the following
3 paragraph:-

4 Any person eligible for assistance under this chapter who is not maintaining his home and is receiving
5 care in or residing in a licensed nursing facility, licensed chronic hospital, licensed rest home, or an
6 approved public medical institution as defined in section 8 of chapter 118E, shall retain the first \$72.80 of
7 his monthly income for clothing, personal needs, and leisure activities. If there is no such income or if it
8 is less than the amount of \$72.80, such a person shall be paid monthly in advance the difference between
9 such income and said amount. Said amount shall be increased annually each fiscal year at the same time
10 and at the same percentage rate as increases payable to an individual who maintains his own home and
11 receives state supplementary payments pursuant to sections 1 and 2 of chapter 118A.

12 SECTION 2. Chapter 118A of General Laws, as appearing in the 1998 Official Edition, is hereby
13 amended by inserting after section 7A the following new section:--

14 Section 7B. Any person eligible for financial assistance under this chapter who is not maintaining his
15 home and is in a licensed medical facility which is eligible for medical assistance payments pursuant to
16 chapter 118E or is residing in a licensed rest home to which such person pays a fixed rate, shall retain the
17 first \$72.80 of his monthly income for clothing, personal needs, and leisure time activities. If there is no
18 such income or if it is less than the amount of \$72.80, such a person shall be paid monthly in advance the
19 difference between such income and said amount. Said amount shall be increased annually each fiscal
20 year at the same time and at the same percentage rate as increases payable to an individual who maintains
21 his own home and receives state supplementary payments pursuant to sections 1 and 2 of this chapter.

Section 3. Section 15 of chapter 118E of the General Laws, as appearing in the 1998 Official Edition is hereby amended by striking the fourth paragraph and inserting in place thereof the following paragraph and inserting in place thereof the following paragraph:--

A person eligible for medical assistance under this chapter who is not maintaining his own home and is receiving care in a licensed nursing facility, a licensed chronic hospital, a licensed rest home, an approved public medical institution, or a public psychiatric institution shall retain the first \$72.80 of his monthly income for clothing, personal needs, and leisure time activities. If there is no such income or if it is less than the amount of \$72.80, such a person shall be paid monthly in advance the difference between such income and said amount. Said amount shall be increased annually each fiscal year at the same time and at the same percentage rate as increases payable to an individual who is maintaining his own home and who is receiving supplemental payments pursuant to sections 1 and 2 of chapter 118A.